

**REMARKS**

In the present Amendment, claim 1 has been amended to incorporate the subject matter of claim 2. Claim 2 has been cancelled accordingly. Claims 3 and 8 have been amended to correct their dependency. No new matter has been added, and entry of the Amendment is respectfully requested.

Upon entry of the Amendment, claims 1 and 3-10 will be pending.

At page 3 of the Action, claims 1, 2, 4-6, 9 and 10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by JP 2002-298825.

At page 5 of the Action, claims 3 and 7 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over JP ‘825.

Applicants submit that these two rejections should be withdrawn because JP ‘825 does not disclose or render obvious the film covered battery of the present invention.

The flexible casing of the present invention comprises a recess only in one of its halves. Forming a recess in each of the halves would necessitate two drawing processes, whereas forming a recess in only one of the halves requires only a single drawing process. It is noted that if the flexible casing does not have a recess, it could not receive any thick battery element.

A film covered battery of the present invention comprises a plurality of tabs protruding from respective electrodes, which are stacked to form charge collectors.

The tabs of the present invention forming charge collectors are laminated in the thickness direction of the battery element. And the charge collectors connected to respective lead terminals are parallel to the sides of the battery element.

JP ‘825 discloses a collector terminal which is preliminarily curled into the final bent shape and then the lead terminal is connected to the collector terminal. The lead terminal and the

collector terminal are connected by ultrasonic welding or resistance welding. In welding, the pressure will be perpendicularly applied to the lead terminal and the collector terminal and they are held from the back to receive the pressure. This means that a space is needed between the battery element and the collector terminal to hold. Namely, this construction prevents security holding by a jig for welding. After sealing, the space should be compressed at atmospheric pressure and as a result, the lead terminal and the collector terminal would be bent in an unintended direction. The preliminarily curling, as in JP '825, may cause damage to the collector terminal. Furthermore, this bending construction may cause tab breakage.

In contrast, in the present invention, the charge collectors and lead terminals are parallel to the sides of the battery element. Therefore, they can be pinched by a welding jig from the upper-side and the lower-side for securing welding.

Charge collectors of the present invention are displaced at a position between the first side and the second side of the battery element in the thickness direction thereof. Therefore, by sealing, lead terminals connected to the charge collectors are prevented from bowing in an unintended direction, as shown in Fig. 2.

In view of the above, reconsideration and withdrawal of the rejections based on JP '825 are respectfully requested.

At page 4 of the Action, claims 1, 4, 9 and 10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Lake (USP 5,326,652).

Applicants submit that this rejection should be withdrawn because Lake does not disclose or render obvious the film covered battery of the present invention.

As noted, claim 1 has been amended to incorporate the subject matter of claim 2. Claim 2 is not subject to this rejection. Accordingly, reconsideration and withdrawal of the §102(b) rejection of claims 1, 4, 9 and 10 based on Lake are respectfully requested.

Allowance is respectfully requested. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

*Hui Chen Wauters*

Hui C. Wauters  
Registration No. 57,426

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: February 15, 2008